

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO: 3:17-CR-00360-MOC-DSC**

UNITED STATES OF AMERICA,

vs.

LAMARCUS DEANDRAY SEABROOKS,

Defendant.

ORDER

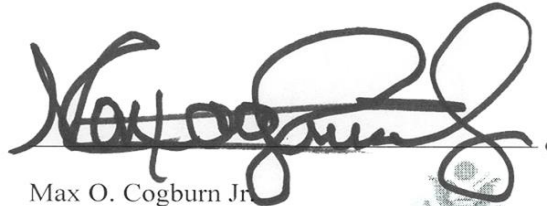
THIS MATTER is before the Court on the pro se Defendant’s Motion for Compassionate Release, brought pursuant to 18 U.S.C. § 3582(c)(1)(A). See Doc. No. 65. Defendant states he has “served 57% of [his] sentence and [is] scheduled [to be released] to a halfway house sometime next year.” Id. He requests compassionate release to take care of his son, whose mother was killed in an automobile accident while he was incarcerated. See id. Currently, his son is being cared for by Defendant’s sister, but she has been diagnosed with lupus and is planning to move from North Carolina to California. See id. at 3. He thus requests to be released, further noting that he will have a home and job to return to upon release.

Based upon the foregoing, the Court shall order the Government to respond whether the Court should exercise its discretion to order compassionate release for Defendant. See U.S.S.G. § 1B1.13 n. 1(C) (noting that “death or incapacitation of the caregiver of the defendant’s minor child” constitutes an “extraordinary and compelling reason[.]” for release); see, e.g., United States v. Bucci, 409 F. Supp. 3d 1, 3 (D. Mass. 2019). Then, the Court will rule on Defendant’s motion.

ORDER

IT IS, THEREFORE, ORDERED that the Government shall **RESPOND** to Defendant's Motion for Compassionate Release, Doc. No. 65, within seven days of the entry of this Order.

Signed: May 12, 2020

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line.

Max O. Cogburn Jr.
United States District Judge

